

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
MAY 18, 2015

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

Blanche Brick
Steve Aldrich
Karl Mooney
John Nichols
Julie Schultz
James Benham

City Staff:

Kelly Templin, City Manager
Carla Robinson, City Attorney
Chuck Gilman, Deputy City Manager
Sherry Mashburn, City Secretary
Ian Whittenton, records Management Coordinator

Call to Order and Announce a Quorum is Present

With a quorum present, the Regular Meeting of the College Station City Council was called to order by Mayor Berry at 7:00 p.m. on Monday, May 18, 2015 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77840.

1. Pledge of Allegiance, Invocation, consider absence request.

Proclamation designating APWA National Public Works Week

Mayor Berry presented a proclamation to the Director of Public Works, Donald Harmon and Assistant Directors Peter Caler and Emily Fisher as representatives of the College Station Public Works Department, proclaiming May 17-23, 2015 as APWA National Public Works Week.

Proclamation designating May as National Bike Month.

Mayor Berry presented a proclamation to Councilmember Brick as a representative of the Bicycle, Pedestrian and Greenway Committee, proclaiming May as National Bike Month.

Recognition of College Station High School's first graduating class.

Mayor Berry presented a proclamation to graduates and staff of College Station High School recognizing the first graduating class of College Station High School.

Citizen Comments

Ben Roper, 5449 Prairie Dawn Ct., came before Council to honor the service and sacrifice of Sgt. Daniel Methvin.

CONSENT AGENDA

2a. Presentation, possible action, and discussion of minutes for:

- April 23, 2015 Workshop
- April 23, 2015 Regular Council Meeting

2b. Presentation, possible action, and discussion regarding the approval of a contract number 15-010 with Komatsu Architecture in the amount of \$106,800 for the programming and conceptual design for the Larry J. Ringer Library Expansion project and approval of Resolution 05-18-15-2b, declaring intention to reimburse certain expenditures with proceeds from debt.

2c. Presentation, possible action, and discussion regarding construction contract 15-109 with Kieschnick General Contractors, Inc., in the amount of \$3,187,342 for a hike and bike trail from Creek View Park to Lick Creek Park.

2d. Presentation, possible action, and discussion regarding the award of Bid 15-037 between the City of College Station and S.D.P. Manufacturing, in the amount of \$166,753 for the purchase of a Track Mounted Mini Digger.

2e. Presentation, possible action, and discussion on a bid award for the annual agreement for electric meters and sockets, to be stored in inventory, as follows: Priester-Mell & Nicholson: \$122,179; Summit Electric Supply: \$25,292.60; Texas Electric Cooperatives: \$9,714; HD Supply: \$37,576.90. Total estimated annual expenditure is \$194,762.50.

2f. Presentation, possible action and discussion on approving annual water meter purchases from Aqua Metric Sales Company through the Houston-Galveston Area Council (HGAC) contract (#WM08-14). Based on the attached contract unit pricing, the estimated annual expenditure for water meters is: \$315,199.06.

2g. Presentation, possible action, and discussion on a bid award for the annual agreement for various electrical items to be stored in inventory as follows: Hill Country Electric Supply: \$26,600; Wesco: \$8,242.50; Stuart C. Irby: \$10,378; Texas Electric Cooperatives: \$64,584.64; Techline: \$232,214.50; KBS Electrical Distribution: \$42,624.70; Priester-Mell & Nicholson: \$36,000. Total estimated annual expenditure is \$420,644.34.

2h. Presentation, possible action, and discussion regarding approval of the Brazos Valley Wide Area Communications System (BVWACS) Operating Budget for FY 16 and authorizing the City's quarterly payments of approximately \$50,567.50 for an annual total

of \$202,270; and approval of the BVWACS Capital Equipment Replacement Reserve Fund Budget for FY 16 and payment of the City's share in the amount of \$96,047.61.

2i. Presentation, possible action, and discussion on the first of two readings of a non-exclusive Pipeline Franchise Ordinance for Oil and Gas Operations with Halcón Field Services, LLC to construct, operate, maintain, remove, replace, and repair pipeline facilities, together with equipment and appurtenances thereto, for the transportation of petroleum products and byproducts.

Items 2c and 2h were pulled for a separate vote.

MOTION: Upon a motion made by Councilmember Nichols and a second by Councilmember Mooney, the City Council voted seven (7) for and none (0) opposed, to approve the Consent Agenda, less items 2c and 2h. The motion carried unanimously.

(2c) MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Aldrich, to deny approval of the construction contract 15-109 with Kieschnick General Contractors, Inc., in the amount of \$3,187,342 for a hike and bike trail from Creek View Park to Lick Creek Park.

(2c) MOTION: Upon a motion made by Councilmember Berry and a second by Councilmember Brick, the City Council voted five (5) for and two (2) opposed, to amend the pending motion to postpone the construction contract 15-109 with Kieschnick General Contractors, Inc., in the amount of \$3,187,342 for a hike and bike trail from Creek View Park to Lick Creek Park. to the May 28 City Council Meeting. The motion carried with Councilmembers Nichols and Aldrich voting against.

(2h) MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Berry, the City Council voted seven (7) for and none (0) opposed, to approve the Brazos Valley Wide Area Communications System (BVWACS) Operating Budget for FY 16 and authorizing the City's quarterly payments of approximately \$50,567.50 for an annual total of \$202,270; and approval of the BVWACS Capital Equipment Replacement Reserve Fund Budget for FY 16 and payment of the City's share in the amount of \$96,047.61. The motion carried unanimously.

REGULAR AGENDA

1. Public Hearing, presentation, possible action, and discussion adopting the Standard of Care Ordinance 2015-3656, to comply with the exemption for child care licensing under Section 42.041 (b)(14) Texas Human Resources Code.

David Schmitz, Director of Parks and Recreation, reported that the Department of Human Services and Department of Protective and Regulatory Services passed updated legislation specifically regarding the regulation of certain facilities, homes, and agencies that provide child-care services. According to Section 42.041, the services provided by the Parks and Recreation Department meet

all exemptions to this legislation. However, our compliance must be evidenced through an approved Standard of Care Ordinance.

Staff recommends adoption of the ordinance.

At approximately 7:40 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:40 p.m.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Nichols, the City Council voted seven (7) for and none (0) opposed to adopt the Standard of Care Ordinance 2015-3656, to comply with the exemption for child care licensing under Section 42.041 (b)(14) Texas Human Resources Code. The motion carried unanimously.

2. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2015-3657, amending the Comprehensive Plan - Future Land Use & Character Map from Suburban Commercial to General Commercial for approximately two acres located at 3751 Rock Prairie Road West, and more generally located at the southwest corner of Rock Prairie Road West and Holleman Drive South.

Jessica Bullock, Planning and Development, reported that the applicant has requested the proposed amendment to General Commercial from Suburban Commercial as a step toward permitting a convenience store with fuel sales on approximately two acres located at the southeast corner of Holleman Drive South and Rock Prairie Road West.

The Planning and Zoning Commission considered this item on April 16, 2015 and voted 5-0 to recommend denial. Staff also recommends denial of the proposed amendment to the Future Land Use & Character Map.

At approximately 7:48 p.m., Mayor Berry opened the Public Hearing.

Rabon Metcalf, RME Engineering, spoke on behalf of the developer in favor allowing this development to move forward with the preference being to pass regular item 3 to allow the development to move forward.

There being no further comments, the Public Hearing was closed at 8:00 p.m.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Nichols, the City Council voted seven (7) for and none (0) opposed, to deny Ordinance 2015-3657 amending the Comprehensive Plan - Future Land Use & Character Map from Suburban Commercial to General Commercial for approximately two acres located at 3751 Rock Prairie Road West, and more generally located at the southwest corner of Rock Prairie Road West and Holleman Drive South. The motion carried unanimously.

3. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2015-3658, amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing

the zoning district boundaries from SC Suburban Commercial to PDD Planned Development District for approximately two acres being a portion of Lot 1, Block 1, Jackson Estates, Phase One, according to the plat recorded in volume 9762, page 159 of the official public records of Brazos County, Texas and being the same tract of land as described by a deed to the JH Driving Range, LLC recorded in volume 9816, page 120 of the official public records of Brazos County, Texas, generally located at 3751 Rock Prairie Road West, more generally located at the southwest corner of Rock Prairie Road West and Holleman Drive South.

Jessica Bullock, Planning and Development, reported that the applicant has requested a PDD Planned Development District zoning on approximately two acres located at the southwest corner of Holleman Drive South and Rock Prairie Road West. The PDD, with a base zoning district of GC General Commercial, includes an approximate 8,000 square foot building with associated fuel sales.

The Planning and Zoning Commission considered this item on April 16th and voted 4-1 to approve the rezoning request. Staff recommends denial.

At approximately 8:06 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 8:06 p.m.

At approximately 8:09 p.m., Mayor Berry reopened the Public Hearing.

Luke Marnel, wanted to inform council of a similar development close to this one that he feels will be larger and provided more services.

There being no comments, the Public Hearing was closed at 8:10 p.m.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Benham, the City Council voted seven (7) for and none (0) opposed, to approve Ordinance 2015-3658, amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundaries from SC Suburban Commercial to PDD Planned Development District for approximately two acres being a portion of Lot 1, Block 1, Jackson Estates, Phase One, according to the plat recorded in volume 9762, page 159 of the official public records of Brazos County, Texas and being the same tract of land as described by a deed to the JH Driving Range, LLC recorded in volume 9816, page 120 of the official public records of Brazos County, Texas, generally located at 3751 Rock Prairie Road West, more generally located at the southwest corner of Rock Prairie Road West and Holleman Drive South. The motion carried unanimously.

4. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2015-3659, amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundaries from GS General Suburban to GC General Commercial for approximately 0.75 acres for the property being situated in the Morgan Rector League, Abstract No.46, College Station, Brazos County, Texas. Being a portion of a tract of land called 2.460 acres as described by a deed to Brazos Valley Decorative Center, LLC Recorded

in Volume 12387, Page 287 of the Official Public Records of Brazos County, Texas, generally located near the northeast corner of Texas Avenue South and Krenek Tap Road.

Mark Bombeck, Planning and Development, reported that the applicant has requested a General Commercial zoning on approximately 0.75 acres located at the northeast corner of Texas Avenue South and Krenek Tap Road.

The Planning and Zoning Commission considered this item on April 16th and voted 5-0 to approve the rezoning request. Staff also recommends approval.

At approximately 8:12 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 8:12 p.m.

MOTION: Upon a motion made by Councilmember Shultz and a second by Councilmember Benham, the City Council voted seven (7) for and none (0) opposed, to approve Ordinance 2015-3659, amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundaries from GS General Suburban to GC General Commercial for approximately 0.75 acres for the property being situated in the Morgan Rector League, Abstract No.46, College Station, Brazos County, Texas. Being a portion of a tract of land called 2.460 acres as described by a deed to Brazos Valley Decorative Center, LLC Recorded in Volume 12387, Page 287 of the Official Public Records of Brazos County, Texas, generally located near the northeast corner of Texas Avenue South and Krenek Tap Road. The motion carried unanimously.


5. Presentation, possible action and discussion regarding appointments to the following boards and commissions:

· Historic Preservation Committee

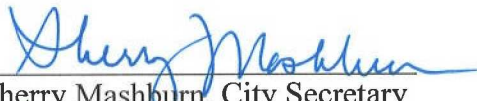
Council reviewed the applications and appointed Edelmiro Escamillia and Annette Naylor to fill the two unexpired terms, replacing David Higginson and Jeremy Nichols.

6. Adjournment.

MOTION: There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 8:16 p.m. on Monday, May 18, 2015.


Nancy Berry, Mayor

ATTEST:


Sherry Mashburn, City Secretary



CITY OF COLLEGE STATION
Home of Texas A&M University

College Station City Council Workshop & Regular Agenda

Sign In Sheet

Thursday, May 18, 2015 at 4:30 & 7:00 p.m.

City Hall Council Chamber

Mayor

Nancy Berry
Mayor Pro Tem
Blanche Brick
Manager
Kelly Templin

Council Members

Steve Aldrich
Karl Mooney
John Nichols
Julie Schultz
James M. Benham

	Name	Address	Email or Phone No.
1.	Courtney Sumlin	3432 Arcadiae Ridge drive	281-910-0462
2.	Saul Chavez	715 Sanbucke dr.	(956) 999-5618
3.	Molly Ferro	4113 Munca Jct LA	734436374
4.			
5.			
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15.			

Note this not a Hear Visitors form To speak on a particular item please file out the Citizen
Speakers Form next to sign in sheet.



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Council Members

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John Nichols

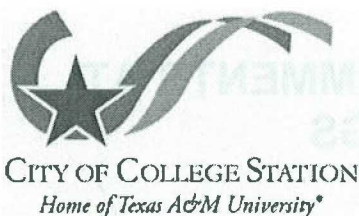
Julie Schultz

James M. Benham

	Name	Address	Email or Phone No.
1.	Rebecca Mwarabu	3913 Blue Dr	
2.	Cristen Pisz	1002 Bright Circle	979-571-5104
3.	Clayton	700 Popovich Dr	979-571-0214
4.	Ashley Tatum	2408 Bundera	979-587-2453
5.	Aquila Carter	1308 Wiscapetka Ct	281-409-7661
6.	Alfred Baudette	1210 Baywood Ct.	(979) 220-4972
7.	Diego Roque	116 Southland St.	979 1595-3430
8.	Jim Butler	2100 Southwood Dr.	979-703-9866
9.	Reed Borczyk	6010 Thoroughbred Ridge	979-229-5471
10.	Jessica Jones	1502 Misty Ln	979-324-0200
11.	Jon Denton	1222 April Bloom	jonesj@bryantx.gov
12.	Joseph Cohn	2100 Ember Willow	jondentonm12@gmail.com
13.	Ferdinand Novorro	3214 Ciesl Cove	josephcohn@hotmail.com
14.	Bailey Payne	1105 Top Trails	979-402-5092
15.		16789 Calumet Trail	(979) 209-4241

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CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 05/18/15
MM / DD / YY

**** Please PRINT all information ****

Name: Ben Roper Phone: 979-777-0382
Address: 5449 Prairie Dawn CT
Email: broper001@hotmail.com Comments: ☐ WRITTEN ☒ ORAL
Comments are presented for: ☒ HEAR VISITORS ☐ AGENDA ITEM # _____

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

☐ COMMENTS CONTINUED ON ATTACHED DOCUMENT OF _____ PAGE(S)

FOR ORAL COMMENTS:

1. YOU MUST SIGN UP PRIOR TO THE SCHEDULED MEETING
(At the City Secretary's Office during regular business hours, or from 5:00 p.m. to 6:45 p.m. the day of the meeting.);
2. YOU WILL HAVE ONE OPPORTUNITY TO SPEAK; AND
3. YOU MUST OBSERVE THE 3-MINUTE TIME LIMIT. (Time cannot be transferred to another speaker.)

Inquiries from speakers about matters not listed on the agenda will either be directed to the Staff or placed on a future agenda for Council consideration. **See reverse side for additional rules.**

MAIL, FAX OR EMAIL COMPLETED FORM TO:

City of College Station
City Secretary's Office – City Hall
1101 Texas Avenue, College Station, Texas 77840
Fax: 979-764-6377
Email: smashburn@cstx.gov

OFFICE USE ONLY:
(# in which received)

1



PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 05/18/15
MM/DD/YY

**** Please PRINT all information ****

Name: Rabon Metcalf Phone: _____

Address: RME Engineering

Email: _____ Comments: ☐ WRITTEN ☒ ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # 2

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

☐ COMMENTS CONTINUED ON ATTACHED DOCUMENT OF _____ PAGE(S)

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1101 Texas Avenue, College Station, Texas 77840
Fax: 979-764-6377
Email: smashburn@cstx.gov

OFFICE USE ONLY:
(# in which received)

1



PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 05-18-15
MM / DD / YY

**** Please PRINT all information ****

Name: Luke Marvel Phone: 979-217-1162

Address: 2905 Meadowbrook Ct, 77845

Email: Luke & Marvel@gmail.com Comments: ☐ WRITTEN ☒ ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # 2

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

☐ COMMENTS CONTINUED ON ATTACHED DOCUMENT OF _____ PAGE(S)

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GEORGE TOBOLOWSKY (www.georgetobolowsky.com)**American**

1949 Born and lives in Dallas, TX ; works at Mountain Springs Sculpture Studio, Mountain Springs, TX

EDUCATION

1970 Southern Methodist University, B.B.A. in Accounting and a Minor in Sculpture, Dallas TX

1974 Southern Methodist University, J.D.

AWARDS

2015 A Residency: Texas A&M with the Art and Business Schools and a citywide Exhibition: College Station, TX

2015 International Exhibition of 12 Texas Artists at the National Academy of Art in New Delhi, India in January, 2015

2012 2012 Award for Excellence in Creative Arts by The Dallas Historical Society

2011 A Hometown Hero, Fox 4 News Dallas TX for "turning the fight against breast cancer into a work of art"

YouTube: George Tobolowsky

2012 YouTube: Found Object Artist: Substance and Form, Lecture by Jed Morse, Curator of the Nasher Sculpture Center, Dallas TX

2010 YouTube: Metal Sculpture Artist by Quin Mathews Films, Dallas TX

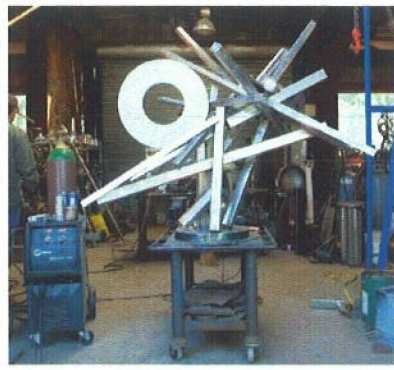
As native of Dallas, Texas, I earned my business degree and law degree from Southern Methodist University in the early '70s. While at SMU, I also minored in Sculpture studying under Texas artist James Surls, who became my mentor and friend. After graduation, I entered the business world, and spent the next several decades building a successful business and legal career. I was not producing art myself until about ten years ago when I felt an inspiration and with the encouragement of my mentor Surls; I embarked on my own artistic path. My output over the past ten years has been enormous: over 425 sculptures, 23 Solo Museum and Public Art Exhibitions and 30 Group Exhibitions throughout the U.S.

I make abstract metal sculptures from steel and stainless steel "found objects". These found objects however, are not of the everyday sort, but rather bulky industrial metal castoffs that I scour scrap yards and fabrication plants to find. I rarely alter these metal pieces but instead work to fit the individual scraps together – much like the pieces of a jigsaw puzzle – into balanced compositions. My sculptures are one part assemblage and one part recycling, which follows closely with the philosophy of another early artistic influence, Louise Nevelson.

My titles are typically added upon completion and offer a suggestion for interpretation but mindfully allows room for various readings within each piece. My works represent a logical extension of the welded steel sculpture tradition that can be traced from Julio Gonzalez to David Smith. My sculptures are in 26 National and International Museums, University Collections and Public Art Collections. My pieces are also in numerous Private Collections. I have had Exhibitions in Vail, CO., Portland OR, Chicago IL, New York City, Chautauqua NY, New Orleans LA, Palo Alto CA. and throughout Texas and now India. I have just installed and opened an International Exhibition of 12 Texas Artists at the National Academy of Art in New Delhi, India in January 2015. One of my sculptures was selected by the National Academy for their Collection. I have recently completed a "Residency Program" at Texas A&M University with a major Exhibition on campus and throughout College Station for 2015. In 2016, I am scheduled for an Exhibition at Franklin College in Lugano, Switzerland and Austin College in Texas. For more information, please visit my website at www.georgetobolowsky.com which is linked to some YouTube videos about my work. **George Tobolowsky (214) 533-1133**



Mapping the Mountain, 2009



wrong direction, 2009



The 600 lb. Blue Dealbreaker, 2010



"stainless intersections", 2011



drawing with pencil, 2011



Chaos Theory, 2012



drooping in, 2012



Wall Street, 2012



DSC_0835



CORPORATE GUARDIAN #1& #2, 2011 (each) (34x26x11) (13x23x19)



The BIG Stainless Deal, 2010



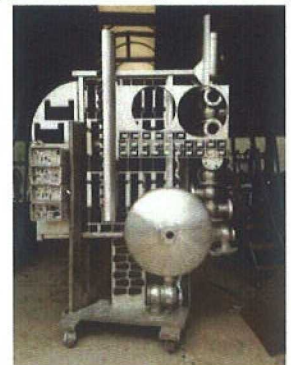
"My Grandfather's Start-Up, 2010 (100"x63"x36")



The Social Entrepreneur, 2012



a man and a woman, 2012



Stainless Internet, 2015



Painting the Blue Sky, 2015 (155"x51"x36")



Outside the Circle, 2008



The Green Road to Success, 2014 (78"x115"x46")